

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

ROOFERS LOCAL NO. 30 COMBINED  
PENSION FUND; BOARD OF TRUSTEES,  
ROOFERS LOCAL NO. 30 COMBINED  
PENSION FUND;

and

MICHAEL O'MALLEY, in his fiduciary capacity,

Plaintiffs,

v.

D.A. NOLT, INC.,

Defendant.

---

CIVIL ACTION

No. 09-1445

---

**ORDER**

**AND NOW**, this 25th day of August, 2010, upon consideration of Plaintiffs' Motion for Reconsideration (Doc. No. 30), and the Response and Reply thereto, it is hereby **ORDERED** that Plaintiffs' Motion is **DENIED**. It is **FURTHER ORDERED** that Defendant's request for an award of attorneys' fees and costs incurred in connection with the instant action is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY  
SENIOR JUDGE